

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Ella Mintz	Team: Squad #1	CCRB Case #: 201804534	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Sunday, 07/23/2017 5:05 AM	Location of Incident: In front of § 87(2)(b) Inside of § 87(2)(b)	Precinct: 120	18 Mo. SOL 1/23/2019	EO SOL 1/23/2019	
Date/Time CV Reported Sun, 07/23/2017 12:00 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 06/06/2018 11:05 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Joseph Podkalicki	02010	944901	120 PCT
2. POM Fatmir Useini	11075	937664	120 PCT
3. POF Connie Chin	00038	931596	120 PCT
4. POM Robert Bellantonio	08536	948651	120 PCT
5. POM Paul Bartelotti	18972	958794	120 PCT
6. POM Sean Pallone	13921	952086	120 PCT
7. POM Ryan Harkins	10194	961805	120 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Brooks Ingram	22857	963077	120 PCT
2. POM Anthony Limoncelli	04374	959757	120 PCT
3. POF Estefanie Vazquezcontreras	11072	962149	120 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Sean Pallone	Force: In front of § 87(2)(b) in Staten Island, Police Officer Sean Pallone used physical force against § 87(2)(b)	
B.POM Ryan Harkins	Force: In front of § 87(2)(b) in Staten Island, Police Officer Ryan Harkins used physical force against § 87(2)(b)	
C.SGT Joseph Podkalicki	Force: In front of § 87(2)(b) in Staten Island, Sergeant Joseph Podkalicki used a Taser against § 87(2)(b)	
D.POM Fatmir Useini	Force: Inside of § 87(2)(b) in Staten Island, Police Officer Fatmir Useini used physical force against § 87(2)(b)	
E.POF Connie Chin	Force: Inside of § 87(2)(b) in Staten Island, Police Officer Connie Chin used physical force against § 87(2)(b)	
F.POM Robert Bellantonio	Force: Inside of § 87(2)(b) in Staten Island, Police Officer Robert Bellantonio used physical force against § 87(2)(b)	
G.POM Paul Bartelotti	Force: Inside of § 87(2)(b) in Staten Island, Police Officer Paul Bartelotti used physical force against § 87(2)(b)	

Case Summary

On July 23, 2017, Captain Andrew Hillery, of SRG 5, called IAB to report that while at § 87(2)(b) Hospital, Police Officers Connie Chin, Robert Bellantonio, and Fatimir Useini used physical force against § 87(2)(b) after he swung and spat at officers. This case was received by the CCRB on June 6, 2018 under log 18-21358.

On June 8, 2018, an NYC DOC search revealed that § 87(2)(b) was not incarcerated. Two phone numbers for § 87(2)(b) and an email address were obtained from CCRB #§ 87(2)(b) in which the assigned investigator did make contact with § 87(2)(b). On June 8, 2018, both numbers were called; the undersigned left a please call voicemail for § 87(2)(b) on one of the numbers, the other number was out of service. From June 15, 2018 to July 5, 2018, four more calls were placed to the working number; each time, a please call message was left. No call was ever returned.

On June 8, 2018, the undersigned spoke with IAB Group 54 Sgt. John Addeo, who was in charge of the investigation stemming from this incident. Sgt. Addeo stated that he was currently in the process of closing the case as exonerated. Sgt. Addeo provided the names of all officers involved in the incident and stated that Sergeant Joseph Podkalicki, of the 120th Precinct, used his Taser against § 87(2)(b) at the location of his arrest and that this was captured on a security camera. Sgt. Addeo stated that IAB had two other videos of this incident. Sgt. Addeo also provided an additional phone number for § 87(2)(b). A call to this number revealed that the number was out of service.

A LexisNexis search confirmed § 87(2)(b)'s address from the arrest report but did not provide any additional information. A CLEAR search revealed five additional phone numbers for § 87(2)(b). Three of these numbers were not in service. One of the numbers was revealed to be a wrong number.

On June 21, 2018, a please call message was left for § 87(2)(b), which was found on CLEAR. On June 21, 2018, the undersigned missed a call from that number; the caller ID was listed as § 87(2)(b) no voicemail was left. On that same day, the undersigned called that number again and there was a dial tone. On June 21, 2018, the undersigned missed another call from this number; no voicemail was left. Callbacks to this number on June 22, 2018 and June 27, 2018 resulted in dial tones. Two additional calls to this number revealed that it was out of service.

On June 8, 2018, a please call letter was mailed to the address listed on his arrest report. An email was sent to § 87(2)(b) from the email listed in CCRB #§ 87(2)(b) this email failed to deliver. Three additional addresses and one additional email address were found on CLEAR. The email failed to deliver. Three additional letters were mailed to the three additional addresses found on CLEAR. No letters have been returned by the US Postal Service.

On August 13, 2018, the undersigned received the IAB case file, including the videos mentioned by Sgt. Addeo. The video located in IA #49 of the case file shows the moment the Taser is deployed by Sgt. Podkalicki but the video does not show clear misconduct and an investigation cannot be initiated on the video absent a statement from § 87(2)(b).

An NYC DOC search on August 22, 2018 revealed that § 87(2)(b) is not currently incarcerated. As the undersigned was not able to establish contact with § 87(2)(b) despite the

aforementioned attempts and because the video footage obtained from IAB does not show clear misconduct, § 87(2)(g) [REDACTED]

Squad:

Investigator:	_____	_____	_____
	Signature	Print	Date

Squad Leader:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date